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PATENT

AMENDMENTS TO THE SPECIFICATION

Replace the paragraphs beginning on page 2, line 17 - page 3, line 2 with the following paragraphs:

--As I observed the original tree of my new variety, the uniqueness of this tree became apparent because of its dense, upright branching habit and consistent red to orange fall color. These characteristics distinguish my new tree from other Nuttall Oaks of which I am aware.

My new variety was asexually propagated by softwood cuttings in 2001 at my direction, in Oconee County, Georgia. The progeny have thus far proven to retain the dense, upright branching habit and consistent red to orange fall color of the original tree, even as smaller plants. This propagation and observation of the resulting progeny have proven the characteristics of my new variety to be firmly fixed and reproduce true to type. Furthermore, these observations have confirmed that my new variety represents a new and improved variety of oak tree, which appears to be a variation of Nuttall Oak trees based upon observations of acorns in the original tree and as particularly evidenced by the dense, upright branching pattern and consistent red to orange fall color, and which can reliably be asexually propagated using vegetative propagation.

I observed this tree of my new variety for a period of time and believe it is particularly useful as a specimen or for groupings in lawns, parks, golf courses, commercial landscapes, and as a street tree. It provides good shade, is a relatively fast growing tree, and has good structural branching. It also provides ornamental interest with its consistent red to orange fall color.--

Replace the paragraph on page 7, lines 5-6 with the following paragraph:

An Oak tree named 'QNSTC' having a dense, upright branching habit and consistent red to orange fall color, and also capable of being reproduced reliably using vegetative cuttings.